



SOCIAL SECURITY

Refer to:

S9H: SSA-2018-001428

July 26, 2019

Taylor Amarel
MuckRock News
411A Highland Avenue
Dept. MR 48339
Somerville, MA 02144
35346158@requests.muckrock.com

Dear Taylor Amarel:

This letter is in response to your February 5, 2018 Freedom of Information Act (FOIA) request for records documenting why some individuals and, more specifically, why some Social Security numbers (SSN) are not eligible for signing up for a "[my Social Security](#)" account online at <https://www.ssa.gov/myaccount/>. Additionally, you requested technical manuals, memos, complaints, or internal documents detailing the process of signing up at "[my Social Security](#)," any security measures, or blocking mechanisms that would prevent or blacklist someone or some SSNs from signing up online from January 1, 2013 to the present.

The FOIA does not require an agency to respond to questions or perform research. *See Zemansky v. United States E.P.A.*, 767 F.2d 569 (9th Cir. 1985) and *Poll v. Office of Special Counsel*, 208 F.3d, n.2 (10th Cir. 1999). The FOIA also does not require an agency to provide documents that are already publicly available.

The Social Security Administration (SSA) takes the responsibility of protecting public data very seriously, and strives to maintain a balance between usability and security towards our robust, mature, and personalized [my Social Security](#) portal.

To ensure SSA issues credentials accurately and to prevent creation of fraudulent accounts, SSA performs multiple verification checks prior to allowing the customer access to the [my Social Security](#) portal. Therefore, the customers with the following traits are ineligible to create a [my Social Security](#) account online:

- Younger than 18 years of age
- No valid SSN
- No acceptable U.S. Domestic address
- No email address
- Blocked access to electronic service
- Death Indicator on SSA's record
- Credit fraud alert or freeze

- Failed “Out-of-Wallet” challenge questions
- Failed to register a second authentication factor

SSA employs a multifaceted approach towards information security across all of our service channels. For those customers who cannot or do not want to register online, SSA offers in-person identity proofing process.

Supporting Documentation

1. Both the Sign-in and [my Social Security](#) pages provide language on who can or cannot create an account:

- <https://secure.ssa.gov/RIL/SiView.do>
- <https://www.ssa.gov/myaccount/>

2. **Publications**

- How To Create An Online Account - <https://www.ssa.gov/pubs/EN-05-10540.pdf>
- How You Can Help Us Protect Your Social Security Number and Keep Your Information Safe – <https://www.ssa.gov/pubs/EN-05-10220.pdf>

3. **SSA’s Blog**

- Protecting Your identity is Important to Us - <https://blog.ssa.gov/protecting-your-identity-is-important-to-us/>
- Protecting Your Social Security - <https://blog.ssa.gov/protecting-your-social-security/>

4. **SSA’s Frequently Asked Questions**

- Can I create a [my Social Security](#) account if I have a security freeze or a fraud alert on my credit report? - <https://faq.ssa.gov/en-US/Topic/article/KA-02711>

I am withholding technical manuals and internal documents pertaining to security measures or blocking mechanisms in their entirety under FOIA Exemption 7(E) (5 U.S.C. § 552(b)(7)(E)). Exemption 7(E) exempts from mandatory disclosure records or information compiled for law enforcement purposes when production of such records “would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.”

SSA performed a search and located correspondence (33 pages) responsive to your request. I am withholding portions of the correspondence under the FOIA Exemptions 2, 5, and 6. Specifically, I am withholding the internal component email addresses in full under the FOIA Exemption 2. Exemption 2 exempts from disclosure records “related solely to the internal personnel rules and practices of an agency.” This information is restricted for use by SSA employees for official agency business; therefore, it is exempt from the disclosure requirements of the FOIA (5 U.S.C. 552(b)(2)).

I am withholding portions of the correspondence based on FOIA Exemption 5

that protects the deliberative process. FOIA Exemption 5 protects advice, opinions, recommendations, predecisional discussion, and evaluative remarks that are part of the government decision-making process. Release of such predecisional advisory communications would harm the quality of agency decision-making and the policy of encouraging frank, open discussion among agency personnel before making a decision (5 U.S.C. §552(b)(5)).

The general purposes of the deliberative process privilege are to prevent injury to the quality of agency decisions and to protect government agencies' decision-making processes. The deliberative process privilege allows agencies to freely explore alternative avenues of action and to engage in internal debates without fear of public scrutiny (*Missouri ex rel. Shorr v. United States Army Corps of Engineers*, 147 F.3d 708, 710 (8th Cir. 1998)). Exemption 5 protects not merely documents, but also the integrity of the deliberative process itself, where the exposure of that process could result in harm. We believe that disclosure of the information at issue could cause foreseeable harm to the agency's decision-making processes.

Under the FOIA Exemption 6, I am withholding employee names and contact information. The FOIA does not require agencies to disclose information that would be a clearly unwarranted invasion of personal privacy (5 U.S.C. § 552(b)(6)).

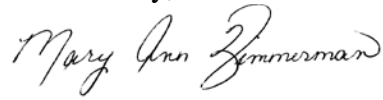
If you have questions, or would like further assistance with your request, you may contact our FOIA Public Liaison by email at FOIA.Public.Liaison@ssa.gov; by phone at 410-965-1727, by choosing Option 2; or facsimile at 410-966-0869.

You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration for dispute resolution services. OGIS is an entity outside of SSA that offers mediation services to resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, MD 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll-free at 1-877-684-6448; or facsimile at 202-741-5769.

If you disagree with this decision, you may file a written appeal with the Executive Director for the Office of Privacy and Disclosure, Social Security Administration, G-401 WHR, 6401 Security Boulevard, Baltimore, MD 21235. Your appeal must be postmarked or electronically transmitted to FOIA.Public.Liaison@ssa.gov within 90 days of the date of our response to your initial request. Please mark the envelope or subject line with "Freedom of Information Appeal."

We hope you find this information helpful.

Sincerely,

A handwritten signature in cursive script that reads "Mary Ann Zimmerman". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Mary Ann Zimmerman
Freedom of Information Officer

Enclosure